

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MEMORANDUM ENDORSED

JOSEPH MARDEN,

Plaintiff,

v.

1:22-CV-10735-GWG

**NOTICE OF MOTION FOR
ATTORNEY'S FEES
PURSUANT TO SOCIAL
SECURITY ACT § 206(b)(1)**

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

PLEASE TAKE NOTICE that Plaintiff, Joseph Marden, by his attorney, will move and hereby does move this Court for Attorney's Fees pursuant to Social Security Act § 206(b)(1) and 42 U.S.C. § 406(b)(1) and for such other and further relief as this Court may deem just and proper. This motion is based upon all pleadings filed to date and is supported by Plaintiff's Petition for Attorney's Fees pursuant to Social Security Act § 206(b)(1) and 42 U.S.C. § 406(b)(1) and attached Exhibits filed with this Court on June 12, 2024.

PLEASE TAKE FURTHER NOTICE that this motion shall be considered submitted to the Hon. Gabriel W. Gorenstein, United States Magistrate Judge for the United States District Court for the Southern District of New York, on a date to be established by the court.

Executed this June 12, 2024.


Respectfully submitted,

/s/Howard D. Olinsky, Esq.
Howard D. Olinsky, Esq.
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Application granted. The Court has considered the factors enumerated in *Gisbrecht v. Barnhart*, 535 U.S. 789 (2002), and grants the application for reasons similar to those stated in *Blizzard v. Astrue*, 496 F. Supp. 2d 320 (S.D.N.Y. 2007). Plaintiff's counsel Howard Olinsky is awarded \$8,472.00 pursuant to 42 U.S.C. sec 406(b). This amount is to be paid from the claimant's past-due benefits. Plaintiff's counsel is directed to reimburse plaintiff for fees previously received under the Equal Access to Justice Act.

So Ordered.



GABRIEL W. CORENSTEIN
United States Magistrate Judge
June 25, 2024